

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

CRIMINAL NO. 10-20403

Plaintiff,

HON. NANCY G. EDMUNDS

v.

KWAME M. KILPATRICK,

Defendant.

F I L E D  
JUL 13 2010  
CLERK'S OFFICE  
DETROIT

**STIPULATION AND ORDER REGARDING USE AND  
DISCLOSURE OF DISCOVERY MATERIALS**

IT IS HEREBY STIPULATED AND AGREED, by and between defendant Kwame M. Kilpatrick, through his attorney of record James Thomas, and the United States of America, through its attorneys of record, that:

1. For the purpose of allowing defendant to adequately prepare for trial, the government will be making early disclosures to counsel for defendant of certain materials gathered during the government's investigation.
2. These materials are extensive, and will include, among other things, grand jury transcripts, reports of witness interviews, intercepted telephone conversations, audio and video recordings of conversations, text messages, personal and corporate bank records, federal income tax returns and return information, and invoices and receipts ("the discovery materials").
3. Due to the sensitive nature of the discovery materials, the parties hereby agree to the following restrictions on the use and disclosure of the discovery materials:

a. Counsel for defendant may share the discovery materials only with defendant, investigators or experts working with defense counsel, and defense counsel's support staff ("members of the defense team"), and may only share them as needed to provide a defense for defendant in this case, including any direct appeal;

b. Counsel for defendant, prior to disclosing any discovery materials to any member of the defense team, will inform persons receiving discovery materials of the disclosure limitations of this stipulation and order; and

c. Defendant shall make no disclosures of the discovery materials to anyone who is not a member of the defense team.

4. Should the parties wish to attach any discovery materials to any pleading filed with the court, those discovery materials shall be filed under seal. Similarly, the identities of confidential informants will not be identified in public pleadings or pretrial hearings without authorization of the court.

5. Within ninety (90) days of the conclusion of the trial (or any direct appeal therefrom), counsel for defendant and the defendant shall return all discovery materials to the government, along with all copies thereof, or cause such discovery materials and copies to be destroyed.

6. The restrictions in this Stipulation shall remain in effect until further order of the Court.

**SO STIPULATED:**

DATED: July 13, 2010

  
R. MICHAEL BULLOTTA  
Assistant United States Attorney

DATED: July 13, 2010

  
MARK D. CHUTKOW  
Assistant United States Attorney

DATED: July 13, 2010

  
JAMES THOMAS  
Counsel for defendant Kwame M. Kilpatrick

DATED: 7/13/10

  
KWAME M. KILPATRICK  
Defendant

**SO ORDERED:**

DATED: 7/13/2010

  
THE HONORABLE NANCY G. EDMUNDSS  
United States District Judge